

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY

Plaintiff

v.

ADP MARSHALL, INC., a FLUOR
DANIEL COMPANY, and FIREMAN'S
FUND INSURANCE COMPANY,

Defendants

CIVIL ACTION
NO. 04 CV 10203 PBS

ADP MARSHALL, INC.,
Plaintiff-in-Counterclaim

vs.

MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY,

Defendant-in-Counterclaim

ADP MARSHALL, INC.,
Third-Party Plaintiff

ALLIED CONSULTING ENGINEERING
SERVICES, INC., ANDOVER CONTROLS
CORPORATION, R & R WINDOW
CONTRACTORS, INC., and DELTA
KEYSPAN, INC. n/k/a DELTA
KEYSPAN, LLC.

Third-Party Defendants

AFFIDAVIT OF STEVEN L. GREENSPAN

I, Steven L. Greenspan, do hereby depose and state the following:

1. I am the in-house senior counsel to Delta Keyspan, LLC previously known as Delta Keyspan, Inc.

2. I have conferred with litigation counsel for Delta Keyspan, LLC regarding the establishment of a budget for this litigation and other alternative courses which may be necessary to resolve this matter.
3. I have reviewed the possible use of Alternative Dispute Resolution with counsel and we agree to defer a decision until the conclusion of discovery and mediation.

SIGNED UNDER THE PENALTIES OF PERJURY.

DATE: 7/7/04

A handwritten signature in black ink, appearing to read "Steven L. Greenspan", written over a horizontal line.

STEVEN L. GREENSPAN
Senior Counsel
Delta Keyspan, LLC
Formerly known as
Delta Keyspan, Inc.